

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR
REVOCATION OF THE CERTIFICATION OF

Administrative Action

La Chaka M Price, C.H.H.A.
Certificate No. 26NH05964300

FINAL ORDER OF
DISCIPLINE

TO PRACTICE AS A HOMEMAKER-HOME
HEALTH AIDE IN NEW JERSEY

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information alleging that Respondent was arrested for possessing controlled dangerous substances, which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. La Chaka M. Price ("Respondent") is the holder of certificate number 26NH05964300 and has been certified at all times hereto.

2. Upon receipt of a flagging notice advising that Respondent was arrested on January 5, 2012 by the Paterson Police Department for Possession of Controlled Dangerous Substance, N.J.S.A. 2C:35-10(a)(1), Distribution of Heroin/Cocaine, N.J.S.A. 2C:35-5(b)(3), and Controlled Dangerous Substance on

School Property, N.J.S.A. 2C:35-7, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Paterson, New Jersey, via regular and certified mail on or about April 8, 2013. A response was due within twenty (20) days. The regular mailing was not returned; the certified mailing was returned to the Board as "unclaimed."

3. By letter dated January 27, 2012, Respondent provided a brief narrative statement explaining the facts and circumstances that led to her arrest. She advised the Board that a court date was scheduled for February 15, 2012 and that she would keep the Board informed of the status of the case.

4. To date, Respondent has not provided a complete response to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2,-1.3, in violation of N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h). Respondent's failure to provide the Board with a valid address constitutes a violation of N.J.A.C. 13:37-5.7.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline (POD) was entered by this Board on July 11, 2012 provisionally suspending Respondent's certificate to practice as a Certified Homemaker-Health Aide in the State of New Jersey until Respondent cooperates fully with the Board's investigation by providing the Board with the information requested in the Board's letter of inquiry. The Board also assessed a \$200.00 penalty. The order provided that it would be subject to finalization by the Board at 5:00 p.m. on the 30th business day following its entry unless the Respondent requested a modification or dismissal of the Findings of Fact or Conclusions of Law by submitting a written request setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed, and submitting any and all documents or other written evidence supporting her request for consideration. Copies of the Provisional Order were mailed to the Respondent via certified and regular mail, return receipt requested, to her address of record.

In response to the POD, The Board received a letter dated August 17, 2012 from Respondent in which she explained that she appeared in court on July 30, 2012 but a new court date had to be scheduled for August 13, 2012. Respondent stated that she did not realize she needed to inform the Board of the events with respect to each court appearance. She further explained that at the court

proceeding on August 13, 2012, it was determined that although another admitted guilt for the underlying charges, the issue was not yet resolved with finality and a new court date of October 1, 2012 was scheduled. On October 1, 2012, Respondent was granted twelve (12) months Pretrial Intervention (PTI) without a guilty plea in Passaic County.

Accordingly, the Board found that although Respondent's answer to the allegation is sufficient and suspension of Respondent's certificate is no longer warranted, Respondent is responsible for ensuring that all Board inquiries are answered in a timely fashion. Therefore, the fine in the amount of \$200.00 is imposed.


ACCORDINGLY, IT IS, on this day of Novemberst, 2013,

ORDERED that:

1. Respondent shall remit payment of a monetary penalty pursuant to N.J.S.A. 45:1-25 in the amount of \$200.00 by certified check or money order payable to the State of New Jersey, delivered to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days **after** the entry date of this Final Order of Discipline in this matter. In the event Respondent fails to make a timely payment, a Certificate of Debt shall be filed in accordance with N.J.S.A.

45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By:  P.D., A.P.N., F.A.A.N.
Patricia Murphy, PH.D., A.P.N., F.A.A.N.
President